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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,283	02/15/2002	Makoto Iwayama		9044

24956 7590 02/07/2007  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER
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ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2165

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/075,283	Applicant(s) IWAYAMA ET AL.	
	Examiner Neveen Abel-Jalil	Art Unit 2165	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22-November-2006 has been entered.
2. The amendment filed on 22-November-2006 has been received and entered. Claims 10 - 18 are now pending.
3. Amendments to the claims have overcome previous claim objections, and rejections under 35 USC 101.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1, 16, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the weight" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the importance" in line 19. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the result" in line 23. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the search" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Applicant's language in the last sentence of claim 16 is confusing, "sent by the client, to the client" is vague and renders the claimed recitation to be indefinite. Corrections and/or clarifications are required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 10, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal (U.S. Patent No. 6,163,782) in view of Subramaniam et al. (U.S. Patent No. 5,859,972).

As to claim 10, Singhal discloses a service for searching documents wherein servers comprising document databases and programs to manipulate said databases are dispersed over a network and a client connected to said servers performs a document search, said service providing a document search method comprising the steps of:

making a first search input of a set of keywords, fragments of a document or any desired set of documents to a first document database (See column 4, lines 37-47),

conducting a first search of said first document database based in said first search input (See column 4, lines 37-47);

retrieving at least one document as a result of said first search (See column 4, lines 51-65);

inputting said at least one retrieved document to said first document database (See column 5, lines 26-42, wherein “inputted” reads on “send back and stored”);

making a weighted term list from said input of said at least one retrieved document to said first document database, the weight of each term reflecting the importance of the term in the first document database (See column 2, lines 51-57), and

wherein said weighted term list is used as a second search input for performing said search of said second document database (See column 5, lines 35-55), and

wherein each term in the term list is weighted considering the importance of the term both in the first document database and the second document database, and the weight being

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used to calculate the relevance of each document of the second document database (See column 3, lines 16-21); and

displaying the result on a display unit (See column 3, lines 13-21).

Singhal teaches the claimed invention but does not explicitly disclose automatically conducting a second search of said second document database based on said second search input.

Subramaniam et al. teaches automatically conducting a second search of said second document database based on said second search input (See column 8, lines 25-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Singhal by the teaching of Subramaniam et al. to include automatically conducting a second search of said second document database based on said second search input because it allows for faster and more efficient access of two or selected databases to be searched (See Subramaniam et al. column 2, lines 38-50)

As to claim 18, Singhal discloses a computer implemented service of searching documents wherein servers comprising document databases and programs to manipulate said databases are dispersed over a network and a client connected to said servers performs a document search, said service providing a document search method comprising the steps of

the client transmits a set of documents in a first search input to a first one of said servers where a first document database is stored, receives a summary comprising only topic words related to the set of documents which is sent (See column 4, lines 37-47),

conducting a first search of said first document database based on said first search input (See column 4, lines 37-47),

the client receiving back a summary containing only topic words resulting from said first search (See column 5, lines 26-42, wherein “inputted” reads on “send back and stored”),

the client sending a second search input corresponding to said summary reflecting a user's evaluation of the summary to a second server where a second document database is stored (See column 5, lines 35-55),

the client receiving back a search result from the search of the second document database, wherein said first server storing the first document database produces the summary of topic words relevant to the set of documents sent by the client and transmits the summary to the client, and searches and transmits to the client a set of documents having a high relevance to any desired summary sent by the client (See column 3, lines 13-21).

Singhal teaches the claimed invention but does not explicitly disclose automatically conducting a second search of said second document database based on said second search input.

Subramaniam et al. teaches automatically conducting a second search of said second document database based on said second search input (See column 8, lines 25-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Singhal by the teaching of Subramaniam et al. to include automatically conducting a second search of said second document database based on said second search input because it allows for faster and more efficient access of two or selected databases to be searched (See Subramaniam et al. column 2, lines 38-50)

*Allowable Subject Matter*

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8. Although no rejections in view of prior art are made with regards to dependent claims 11-17, no claims in this application will be indicated as allowable until after a response to this action has been reviewed, as to the fact that certain changes may not produce allowable claims.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 10-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. (U.S. Patent No. 6,263,342 B1) teaches Federated searching of heterogeneous data store.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Niveen Abel-Jalil', with a stylized flourish at the end.

Neveen Abel-Jalil  
February 5, 2007